



3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

RECEIVED  
JAN 30 2003  
TC 1700

Extension of time fee due with this request: \$55.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

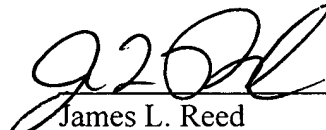
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	12	minus	49	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	4	0	x \$84 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$ 0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Check in the amount of \$\_\_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☐ Please charge Deposit Account No. 50-310 the total of \$55.00 for one month extension of time. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
James L. Reed  
Reg. No. 43,877

Date: January 27, 2003

**CUSTOMER NO. 09629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001



ATTORNEY DOCKET NO.: 044170-5052-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ronald W. MINK et al.

Application No.: 09/973,956

Filed: October 11, 2001

For: DEVICE FOR COLLECTION AND  
ASSAY OF ORAL FLUIDS

Group Art Unit: 1723

Examiner: D. SORKIN

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT**

In response to the Office Action dated September 26, 2002, the period for response to which extends through January 27, 2003 as January 26, 2003 is a Sunday by the request for one-month extension of time filed concurrently herewith, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

Please amend the first paragraph of page 1 of the specification as follows:

This application is a divisional of U.S. Application No. 09/292,293, filed April 15, 1999, now U.S. Pat. No. 6,303,081.

**IN THE CLAIMS:**

Please amend claims 50-56 as follows:

50. (Amended) A device for collecting and assay of fluids, comprising:  
a housing having a fluid receiving end and an assay portion;

RECEIVED  
JAN 30 2003  
TC 1700

09973956

500310

01/28/2003 HWDH61 00000092

55.00 CH

01 FC:2251